

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ASTECH INTERNATIONAL, LLC, et al.	:	CIVIL ACTION
	:	NO. 07- 5241
v.	:	
	:	
LAWRENCE A. HUSICK, ESQUIRE, et al.	:	
	:	

ORDER

AND NOW, this 18th day of December 2009, upon consideration of defendants' motion for summary judgment and plaintiffs' response, it is ORDERED that defendants' motion is GRANTED and judgment is ENTERED in favor of defendants and against plaintiffs in the following respects:

- (1) with regard to all tort claims arising out of actions which occurred on or before December 15, 2005; and
- (2) with regard to all claims arising out of the allegedly unprofessional prosecution of the livestock identification invention patent application.

In all other respects, defendants' motion is DENIED. It is FURTHER ORDERED that this case be HELD IN ABEYANCE until the United States Patent and Trademark Office issues an unequivocally final decision on the on muzzle patent application. The parties shall notify the Court when such decision is issued.

In light of the uncertainty about when the USPTO will issue its final decision and the fact that the trial issues appear to be complicated and highly technical in nature, I strongly recommend that the parties engage in a settlement conference before Magistrate Judge L. Felipe Restrepo. If the parties believe that a such a conference would be productive, they should notify

my Chambers (215-597-2750) promptly.

/s/ THOMAS N. O'NEILL, JR.
THOMAS N. O'NEILL, JR., J.